#### ..... DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: BC Real Estate 2, LLC PROJECT LOCATION/WATERWAY: North Of Grass Lake Road And West Of Deep Lake Road Near Lake Villa, Lake County, Illinois (Section 28, T46N, R10E) FILE NUMBER: 200500575 PROJECT REVIEW COMPLETED: ☐ Office ☑ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrustate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: USDA Natural Resources Conservation Service Soil Survey for Lake County. U. S. Geological Survey 7.5 Minute Topographic Maps: U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date); Advanced Identification Wetland Maps: Site Visit Conducted on: April 29, 2005 Other information: Rationale for Basis (applies to any boxes checked above): Wetland 2, as referenced in your delineation report, is located on the northern portion of the property and is hydrologically connected to East Loon Lake, which drains to the Fox River, a navigable waterway. Wetland 1 and Wetland 3 located on the southern portion of the property did not exhibit a hydrological connection to a navigable water and are therefore not under the jurisdiction of this office. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and changes in the character of soil the presence of litter and debris shelving other Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated March 30, 2005, prepared by Christopher B. Burke Engineering, Ltd. This office does not confirm your wetland boundary ecommended by: oproved by: etlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Mahual (87 Manual) (i.e.,

urrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary

a methods described in the Corps Wetland Delineation Manual (1987).

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER:	)								
REGULATORY PROJECT !	MANAGE	R: Pi	aul Leffi	er	ם	ate: May 27, 2	2005		
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETE	-	In the offic	,	,		
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of Name of waterway of SITE CONDITIONS:	of site by h	atitude & erty (inch		dinal coo	rdinates:	Illino Lake	5-36.2478 88		
Type of aquatic resource	0-1 ис	1-3 ac	3-5 ac	5-10 a	c 10-25	ac 25-50 ac	> 50 ac	Linear	Unknown
Lake	+	175	1-	-+1-1-		<del></del>	<del></del>	feet	+
River	17-	<b>┼</b> ┾┽──	<del>     </del>	- <del>   =</del> -	-+			<del> </del>	十号
Stream	+=	十二-	<b>┼┾</b> ╌				-	<del> </del>	+
Dry Wash	<del>      -</del>	十六一-	<del>   -</del>		<del> - -</del>		一十十一	<del> </del>	十字
Mudilat	十二—		+	<b>─</b> ├ <del>┊</del>		- <del></del>		<del> </del>	<del>     </del>
Sandflat	<b>+ =</b>		一		<del>一十</del>			<del> </del>	<del>  -     -     -  </del>
Wetlands		<del>   </del>	1			<del></del>		†	<del>     </del>
Slough	15	<del>     </del>	一	-+		- <del></del>	<del>-      </del>	<del> </del>	<del>  -       -     -</del>
Prairie pothole	<del>      -   -                            </del>	17-	<del>                                     </del>					†	<del>     </del>
Wet meadow	+==-		十一-	<del>-+}-</del>	╌╌┼╞╤╌		<del>-  </del>	<del> </del>	<del>+}</del>
Playa lake	<del>      -</del>	<del>     </del>	1		<del> </del>	<del></del>	╼╀┾╪╾╌╾	<del> </del>	<del>-    </del>
Vernal pool	<del>     </del>		<del>   -</del> -	<del>-+   </del> -		<del></del>	<del> </del>	<del> </del>	╀╪╾╌╾
Natural pond	<b>┼</b> ┾──	<del>      -</del> -	<del>      -</del>		<del></del>	<del></del>	╼╀┾╪╾╌╾	<del> </del>	<del>   - </del>
Other water (identify type)	15	5-		15			- 5		10
<sup>1</sup> Check appropriate boxes that be jurisdictional aquatic resource ar		type of iso	lated, no	n-navigab	le, intra-stat	e water present	and best estima	te for size of	non-
Migratory Bird Rule Factors':				If Know	n	If Unknown Use Best Pro	ressional Judgm	ent	
				Yes	No	Predicted	Not Expected		Able To Make
					<del></del>	to Occur	Occur		termination
Is or would be used as habitat for Migratory Bird Treatics?	· 					Ø			
Is or would be used as habitat by cross state lines?	- <u></u> -	· 				Ø			
Is or would be used as habitat for						[]	<u> </u>		
Is used to irrigate crops sold in in						<u> </u>	111		
<sup>1</sup> Check appropriate boxes that be non-navigable, intra-state aquati			or applic	cability of		ry Bird Kule to	apply to onsite,		tional, isolated,
TYPE OF DETERMINATIO	N:				P	reliminary [	Or Appro	ved 🛭	
OPITIONAL ADDITIONAL rationale used to determine N									

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Land and Lakes Company PROJECT LOCATION/WATERWAY: 138th Street west of Indiana Avenue, Chicago, Cook County, Illinois/Little Calurnet River PROJECT REVIEW COMPLETED: 

☐ Office ☐ Field FILE NUMBER: 200500292 Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. ∑ There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the cbb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent2 (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: LAKE CALUMET. U. S. Geological Survey Hydrologic Atlas: LAKE CALUMET, 205. ☐ USDA Natural Resources Conservation Service Soil Survey for Cook County. U. S. Geological Survey 7.5 Minute Topographic Maps: LAKE CALUMET, 1991. U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_ U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: December 9, 2004 Other information: Rationale for Basis (applies to any boxes checked above): The property contains an excavated basin that is completely enclosed and has no connection to the Little Calumet River therefore it is non-jurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving the presence of litter and debris other: changes in the character of soil wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary. Date: 3 - 15-08 Recommended by: Date: 5-25-Approved by: \_\_\_ Wetlands are identified and defineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chica FILE NUMBER: 20050029									
REGULATORY PROJECT	MANAGE	R: D	iedra Will	is	Date:	February 1.	5, 2005		
PROJECT REVIEW/DETE	RMINATIO	ON COM	IPI.E <b>TED</b>		the office Y	,,		ruary 15, 20 aber 9, 2004	05
PROJECT LOCATION IN	FORMATIC	ON:				(2////	Date Deven	1001 3, 2007	
State:						Illinois			
County:						Cook			
Center coordinates	of site by E	atitude &	longitudi	nal coordi	nates:	41-38-5	0.3865 & 87	7-36-13.6399	)
Approximate size o	of site/prope	rty (inch	uding upla	nds & in a	(cres):	9 acres			
Name of waterway					ĺ	Little C	alumet Rive	Г	
SITE CONDITIONS:									
Type of aquatic resource <sup>1</sup>	0-t ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Lincar feet	Unknown
Lake					T 🗀 💳				
River									10-
Stream									T <u>-</u>
Dry Wash							TC	T	1
Mudflat			177		T		T-	<del> </del>	

Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

 $\overline{\phantom{a}}$ 

Migratory Bird Rule Factors':	If Know	a	If Unknown Use Best Pro	ofessional Judgment	
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					M
Is or would be used as habitat by other migratory birds that cross state lines?					
Is or would be used as habitat for endangered species?					×
is used to irrigate crops sold in interstate commerce?					
<sup>1</sup> Check appropriate hoxes that best describe potential for applinon-navigable, intra-state aquatic resource area.	icability of	the Migrato	ry Bird Rule to	apply to onsite, non-	jurisdictional, isolated.

#### TYPE OF DETERMINATION:

Sandflat Wetlands Slough Prairie pothole Wet meadow Playa lake Vernal pool

Natural pond

Other water (identify type) open water excavated pond

Preliminary Or Approved 🛛

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Paul Loeber PROJECT LOCATION/WATERWAY: 2114 and 2710 South Meacham Road, Schaumburg, Cook County "Illinois, Salt Creek/Des Plaines River Watershed
FILE NUMBER: 200400940 PROJECT REVIEW COMPLETED: ☐ Office ☑ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>□ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>
Information Reviewed
<ul> <li>☑ U. S. Fish and Wildlife Service National Wetland Inventory; STREAMWOOD.</li> <li>☑ U. S. Geological Survey Hydrologic Atlas: STREAMWOOD, HA 203.</li> <li>☑ USDA Natural Resources Conservation Service Soil Survey for Cook County.</li> <li>☑ U. S. Geological Survey 7.5 Minute Topographic Maps: STREAMWOOD, 1993.</li> <li>☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles:</li> <li>☐ U. S. Geological Survey 15 Minute Historic Quadrangles:</li> <li>☐ Aerials (Name &amp; Date):</li> <li>☐ Advanced Identification Wetland Maps:</li> <li>☐ Site Visit Conducted on: May 12, 2004</li> <li>☐ Other information:</li> </ul>
Rationale for Basis (applies to any boxes checked above): Salt Creek flows through the property and is a Waters of the U.S. The nearby pond is an isolated depression with no hydrologic connection to the Creek.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)  Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria  Area under consideration is not likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  ☐ This office concurs with your wetland delineation report dated July 20, 2004 and the revised jurisdictional boundaries dated May 12, 2005, prepared by Cowhey, Gudmundson & Leder  ☐ This office does not confirm your wetland boundary.
Recommended by:
Approved by:

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200400940				
REGULATORY PROJECT MANAGER:	Kathy Chernich	Date: M	May 19, 20	05
PROJECT REVIEW/DETERMINATION CO		In the office the project site Y	(Y/N) (Y/N)	Date: May 12, 2005
PROJECT LOCATION INFORMATION:			, ,	,
State:			Illinois	
County:			Cook	
Center coordinates of site by latitude			4658443	N, 413501 E, 42N, 10E
Approximate size of site/property (inc	cluding uplands &	è in acres):	33	
Name of waterway or watershed: SITE CONDITIONS:			Des Plai	nes

Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ас	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River			1			15	15	<b> </b>	
Stream				<del></del>	15		17		177
Dry Wash					1 <u></u>		177	1	† <del>***</del>
Mudflat	T5		† <del>-</del>	† <del></del>	+5			T	十三
Sandflat			† <u></u>		13			<u> </u>	15
Wetlands	- <del>                                      </del>				<del>   </del>	15	15		<del>                               </del>
Slough			† <u> </u>	15	15-	1 <del></del>	† <del>=</del>	+	
Prairie pothole		7		<del></del>	1 <u>7</u>	1	15	1	<del>     </del>
Wet meadow		1 <del>5</del> -	<del>                                     </del>	<del>   </del>	177	<del>  -     -</del>	<del>                                      </del>	<del></del> -	<del>                                      </del>
Playa lake			17	<del>                                      </del>		<del>                                     </del>	177	<del> </del> -	十一 —
Vernal pool	<b>-15</b>	<del>                                      </del>	<del>                                      </del>	<del>                                      </del>	13	<del>                                    </del>	<del>      -   -                            </del>		151
Natural pond		<u> </u>		17-	175	<del>     </del>	177		<del>      -                                </del>
Other water (identify type)			<u> </u>		<u> </u>				
	-								
Check appropriate boxes that jurisdictional aquatic resource		type of iso	lated, non-	navigable, i	ntra-state wat	ter present at	d best estim	ate for size o	f BAD-

Migratory Bird Rule Factors':	If Known		If Unknown Use Best Pro	fessional Judgment	
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	Ø				
Is or would be used as habitat by other migratory birds that cross state lines?					
Is or would be used as habitat for endangered species?			X		
Is used to irrigate crops sold in Interstate commerce?					
*Check appropriate boxes that best describe potential for appli	cability of t	he Migrator	y Bird Rule to	apply to onsite, non-	jurisdictional, isolated,
non-navigable, intra-state aquatic resource area.					

### TYPE OF DETERMINATION:

Preliminary 🗌 Or Approved 🛛

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Sami Bader PROJECT LOCATION/WATERWAY: 10 acre Property in Homer Glen, Will County, IL (NE 1/4 Sec 35 T36N R11E)  FILE NUMBER: 200500158 PROJECT REVIEW COMPLETED: ☐ Office ☑ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>☑ There are no jurisdictional waters of the United States present on the project site.</li> <li>☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>☐ The presence of an isolated water (c.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>☐ Other:</li> <li>☐ Section 10 waterway.</li> </ul>
Information Reviewed  U. S. Fish and Wildlife Service National Wetland Inventory: MOKENA.  U. S. Geological Survey Hydrologic Atlas: MOKENA, 204.  USDA Natural Resources Conservation Service Soil Survey for Will County.  U. S. Geological Survey 7.5-Minute Topographic Maps: MOKENA, 1993.  U. S. Geological Survey 7.5-Minute Historic Quadrangles:  U. S. Geological Survey 15-Minute Historic Quadrangles:  Aerials (Name & Date):  Advanced Identification Wetland Maps:  Site Visit Conducted on: 5 MAY 2005  Other information:
Rationale for Basis (applies to any boxes checked above): The identified 1.8-acre wetland is an isolated wetland in the Marley Creek watershed to the Des Plaines River and is not jurisdictional. NO PERMIT REQUIRED.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
<ul> <li>☑ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>☑ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary
Recommended by: Date: Z4M92006
Recommended by:  Date: 24 M 9 2006  Approved by:  Date: 34 M 9 2006

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500158	•								
REGULATORY PROJECT M	1ANAGE	R: Ro	on Abra	nt	D	ate: 24 MAY	2005		
PROJECT REVIEW/DETER			PLETE		ln the offic e project si		•	IAY 2005	
State: County: Center coordinates of Approximate size of State: Name of waterway of SITE CONDITIONS:	site/proper watersh	erty (Inclu ed:	ding up	olands & i	n acres):	10 Marle	-59 / 87-56-04 y Creek / Des	Plaines	
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear Unknown	
Lake									_
River									Т
Stream									
Dry Wash									
Mudflat									
Sandflat	<u> Г</u>								
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
<sup>1</sup> Check appropriate boxes that bes jurisdictional aquatic resource are		type of iso	lated, no	n-navigabl	i c, intra-state	e water present	and best estima	ate for size of non-	
Migratory Bird Rule Factors <sup>1</sup> :				if K	Cnown		se Best Profes	known sional Judgment	
				Yes	No	Predicted to Occur	Not Expected Occur	Determination	2
Is or would be used as habitat for Migratory Bird Treaties?	oırds prot	ected by						□	
Is or would be used as habitat by c cross state lines?	ther migr	atory birds	that						_
Is or would be used as habitat for	endangere	d species?						⊠	
Is used to irrigate crops sold in int						⊠			
Check appropriate boxes that bes non-navigable, intra-state aquatic			or applic	ability of t	he Migrator	y Bird Rule to a	ipply to onsite,	non-jurisdictional, isolated	đ,
TYPE OF DETERMINATION	<b>N</b> :				P	reliminary 🗀	Or Appro	ved 🛚	
OPITIONAL ADDITIONAL I									

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Peter Andriopoulas PROJECT LOCATION/WATERWAY: Algonquin, McHenry Co.
FILE NUMBER: 200500506 PROJECT REVIEW COMPLETED;  Office Field
Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>□ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>
Information Reviewed
<ul> <li>U. S. Fish and Wildlife Service National Wetland Inventory: CRYSTAL LAKE.</li> <li>U. S. Geological Survey Hydrologic Atlas: CRYSTAL LAKE, HA 253.</li> <li>USDA National Resources Conservation Service Soil Survey for McHenry County.</li> <li>U. S. Geological Survey 7.5 Minute Topographic Maps:</li></ul>
Rationale for Basis (applies to any boxes checked above): The wetland on the subject property is isolated and therefore not regulated by the Department of the Army.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary  This office does not confirm your wetland boundary
Recommended by: Date:
Approved by:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary

from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500506				
REGULATORY PROJECT MANAGER:	Kate Bliss	Date:	5/20/05	
PROJECT REVIEW/DETERMINATION C	OMPLETED:	In the office At the project siteY	(Y/N) (Y/N) Da	Date: ate: 4/19/05
PROJECT LOCATION INFORMATION:				
State:			Illinois	
County:			McHem	гу
Center coordinates of site by latitud	łe & longitudin	al coordinates:	42-9-15	.1689, 88-15-53.0102
Approximate size of site/property (	including uplan	ids & in acres):	2.5	

Name of waterway or watershed:

#### SITE CONDITIONS:

Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream					T 🗖 💳				
Dry Wash				<b>├</b> ──					
Mudflat				1 🗀 💳 –	† <del> </del>				
Sandflat			† <u>– – – – – – – – – – – – – – – – – – –</u>						<u> </u>
Wetlands			15			† <del>=</del> -		1	† <del> </del>
Slough		1 =		† <del> </del>	<del>↑</del> <del></del>		† <del></del>		
Prairie pothole			1 🗖		1 🗂 💳			<del> </del>	† <del> </del>
Wet meadow		一一		↑ <u>₹</u>	1 <u>—</u> —				<del>                                      </del>
Playa lake				1 = -	15-	T 🛅	† <del></del>	T	
Vernal pool									
Natural pond		† <u> </u>	1 🗂	15 —	15				
Other water (identify type)									
	-								
*Check appropriate boxes that jurisdictional aquatic resource		type of iso	lated, non	navigable, i	ntra-state wat	er present ar	d best estim	ate for size of	โตกุล-

Migratory Bird Rule Factors':	If Known		If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?							
Is or would be used as habitat by other migratory birds that cross state lines?							
Is or would be used as habitat for endangered species?							
Is used to irrigate crops sold in interstate commerce?							
Check appropriate hoxes that best describe potential for appli	cability of t	the Migrator	y Bird Rule to	apply to onsite, лоп-	jurisdictional, isolated,		
non-navigable, intra-state aquatic resource area.							

## TYPE OF DETERMINATION:

Preliminary 🗌 Or Approved 🛚

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: HAS Commercial Real Estate PROJECT LOCATION/WATERWAY: West of the intersection of Church and Bilter Roads in Aurora, Kane County, Illinois (Section 2, T38N R8E) FILE NUMBER: 200500652 PROJECT REVIEW COMPLETED: 

☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. ☐ There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent2 (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Section 10 waterway. Information Reviewed ☑ U. S. Fish and Wildlife Service National Wetland Inventory: AURORA NORTH. U. S. Geological Survey Hydrologic Atlas: ☑ USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: AURORA NORTH, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): USGS April 10, 2002 Advanced Identification Wetland Maps: KANE COUNTY Site Visit Conducted on: May 5, 2005 by Jaimee W. Hammit of the USACE, Chicago District Other information: FEMA FIRM, ENCAP Wetland Delineation Report, dated April 26, 2005 Rationale for Basis (applies to any boxes checked above): Wetlands 1 and 2 do not have a surface water tributary system connection and are isolated. Therefore, Wetlands 1 and 2 are not under the jurisdiction of the U.S. Army Corps of Engineers. Investigated Areas 3 and 4 may meet all three criteria for wetland and should be investigated further. Investigated Areas 3 and 4 would still be isolated though and not under the jurisdiction of the U.S. Army Corps of Engineers. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: destruction of terrestrial vegetation clear, natural line impressed on the bank the presence of litter and debris shelving changes in the character of soils other: wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary. Recommended by: Approved by: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river herms, heach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

FILE NUMBER: 200500652 REGULATORY PROJECT MANAGER: Date: 05/19/05 Jaimee Hammit PROJECT REVIEW/DETERMINATION COMPLETED: In the office Date: 05/19/05 (Y/N) At the project site Date: 05/05/05 (Y/N) PROJECT LOCATION INFORMATION: State: Illinois County: Kane Lat: 41-48-25, Lon: 88-17-17 Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): 30 acres Fox River Name of waterway or watershed: SITE CONDITIONS:

Type of aquatic resource	0-1 ac	1-3 ac	3-5 яс	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									$T_{\square}$
Mudflat									
Saudflat									
Wetlands									
Slough									
Prairie pothole								1	
Wet meadow					1				
Playa take	17	<u> </u>	† <del>=</del>	<u> </u>	<del>                                      </del>				
Vernal pool									1 <u>-</u> -
Natural pond		一	<del>                                     </del>	<del>                                  </del>				T	
Other water (identify type)			=-						
	-								
¹Check appropriate boxes that jurisdictional aquatic resource		type of iso	lated, non	-navigable, i	ntra-state wat	ter present ar	d best estim	ate for size o	f non-

Migratory Bird Rule Factors1:	If Know	n		If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?							
Is or would be used as habitat by other migratury birds that cross state lines?		Ţ <u></u>					
Is or would be used as habitat for endangered species?							
Is used to irrigate crops sold in interstate commerce?							
Check appropriate boxes that best describe potential for appli	cability of	the Migrato	ry Bird Rule to	apply to onsite, non-	jurisdictional, isolated,		
non-navigable, intra-state aquatic resource area.							

# TYPE OF DETERMINATION:

DISTRICT OFFICE: Chicago

Preliminary 🔲 Or Approved 🗵

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

# APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District

APPLICANT: HV Manufacturing Co. PROJECT LOCATION/WATERWAY: Vacant Property Located At 1197 Willis Avenue In Wheeling, Cook County, Illinois (Section 14, T42N, R11E)
FILE NUMBER: 200500583 PROJECT REVIEW COMPLETED: ☑ Office ☑ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site.  The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))  The presence of interstate waters (including interstate wetlands <sup>1</sup> ). (33 CFR 328.3 (a)(2))  The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))  The presence of wetlands adjacent <sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))  The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).  Other:  Section 10 waterway.
Information Reviewed  U. S. Fish and Wildlife Service National Wetland Inventory:  U. S. Geological Survey Hydrologic Atlas:  USDA Natural Resources Conservation Service Soil Survey for Cook County.  U. S. Geological Survey 7.5 Minute Topographic Mups:  U. S. Geological Survey 7.5 Minute Historic Quadrangles:  U. S. Geological Survey 15 Minute Historic Quadrangles:  Aerials (Name & Date):  Advanced Identification Wetland Maps:  Site Visit Conducted on: May 10, 2005  Other information:
Rationale for Basis (applies to any boxes checked above):  There is a wetland on the castern portion of the property and a drainage swale on the southern portion of the property, however they do not exhibit a traceable hydrologic connection to a navigable water.  Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other:  wetland boundary
Basis for Declining Jurisdiction:
Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)  Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria  Area under consideration is not likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary.
Recommended by:
Approved by: Date:
<sup>1</sup> Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987). <sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also

adjacent

# DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicag FILE NUMBER: 200500583									
REGULATORY PROJECT	MANAGE	R: Pa	aul Leffi	cr	D	ate: May 16,	2005		
PROJECT REVIEW/DETE	RMINATI	ON COM	PLETE		n the office project sit	(	,	10, 2005	
PROJECT LOCATION INF State: County: Center coordinates Approximate size of Name of waterway SITE CONDITIONS:	of site by I f site/prope	atitude & erty (inch		dinal coor	dinates:	Illino Cook 42 -9 10	is	•	1
Type of aquatic resource	0-1 ac	I-3 ac	3-5 ac	5-10 ac	10-25	яс 25-50 а	c > 50 ac	Linear feet	Unknown
Lake									
River		10-							
Stream									
Dry Wash	15-	15-							177
Mudflat		† <del>=</del> –	<u> </u>		-16		- <del> </del>		<del>                                      </del>
Sandflat		13-	1 🛅 –	1 <u>-</u>					<del>                                    </del>
Wetlands				<u> </u>	-+2-		- <del>     </del>		<del></del>
Slough		1	77	77	<del> </del>	<del></del>		1	<del>     </del>
Prairle pothole	TE -			17	<u> </u>				† <del> </del>
Wet meadow	<del></del>	† <del></del>	177	<b>-</b>	- F	- <del></del>	-+ <u></u> -	<del> </del>	
Playa lake		<del>                                     </del>	1	- <del>                                     </del>		<del>-       -   -   -   -   -   -   -   -  </del>	<del>-   <del> </del></del>		<del></del>
Vernal pool	<del>-                                      </del>	175	177	<del></del>	<del>-       -   -     -                    </del>	- <del></del>	<del></del>		· <del>     </del>
Natural pond	<del>                                      </del>	<del>                                     </del>	† <del> -</del> -	<del>-     -   -   -   -   -   -   -   -   -</del>	一十六一	<del>    </del>	<del></del>	<del></del>	· <del>   </del>
Other water (identify type)									
<sup>1</sup> Check appropriate boxes that b jurisdictional aquatic resource a		type of iso	lated, nu		, Intra-state			te for size of	non-
Migratory Bird Rule Factors <sup>1</sup> :				If Known Yes	No		ofessional Judgm		Abb T- Na-lis
				168	No	Predicted to Occur	Not Expected Occur		Able To Make termination
Is or would be used as habitat fo	r birds prote	ected by				⊠ Occur	Occur		rei minstion
Migratory Bird Treaties?	prov				,	-			
Is or would be used as habitat by	other migr	atory bird:	s that			$\boxtimes$			
cross state lines?									
Is or would be used as habitat fo									
Is used to irrigate crops sold in i	uterstate co	mmerce?							
Check appropriate boxes that b	est describe	potential i	or appli	cability of th	e Migrator	y Bird Rule to	apply to onsite,	nou-jurisdic	tional, isolated,

# TYPE OF DETERMINATION:

non-navigable, intra-state aquatic resource area.

Preliminary 🔲 Or Approved 🛭

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 ~ rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Lester Jacobowski PROJECT LOCATION/WATERY Cook County, Illinois (Section 20, T42N, R10E).	WAY: 0.08 Acre Pond at 171 South Poteet in Inverness,
FILE NUMBER: 200500592 PROJECT REVIEW COMPLE	TED: 🗌 Office 🖾 Field
Approved Jurisdictional Determination (JD) (For Sites regulated under action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters.	
Basis of Jurisdictional Determination:	
<ul> <li>☐ There are no jurisdictional waters of the United States present of The presence of waters which are currently used, or were used interstate or foreign commerce, including all waters which are subject of the U.S.) (33 CFR 328.3(a)(1))</li> <li>☐ The presence of interstate waters (including interstate wetlands)</li> <li>☐ The presence of a tributary to an interstate water or other water</li> <li>☐ The presence of wetlands adjacent² (bordering, contiguous, or except for those wetlands adjacent to other wetlands. (33 CFR 3)</li> <li>☐ The presence of an isolated water (e.g., intrastate lakes, rivers, seandflats, wetlands, sloughs, prairie potholes, wet meadows, pland Other:</li> <li>☐ Other:</li> <li>☐ Section 10 waterway.</li> </ul>	in the past, or may be susceptible for use to transport et to the ebb and flow of the tide (i.e., navigable waters ). (33 CFR 328.3 (a)(2)) of the US. (33 CFR 328.3 (a)(5)) neighboring) to interstate or other waters of the US, (328.3 (a)(7)) streams (including intermittent streams), mudflats,
Information Reviewed	
<ul> <li>U. S. Fish and Wildlife Service National Wetland Inventor</li> <li>U. S. Geological Survey Hydrologic Atlas:</li> <li>USDA Natural Resources Conservation Service Soil Surve</li> <li>U. S. Geological Survey 7.5 Minute Topographic Maps:</li> <li>U. S. Geological Survey 7.5 Minute Historic Quadrangles:</li> <li>U. S. Geological Survey 15 Minute Historic Quadrangles:</li> <li>Aerials (Name &amp; Date):</li> <li>Advanced Identification Wetland Maps:</li> <li>Site Visit Conducted on: 10 May 2005</li> <li>Other information;</li> </ul>	ry for Cook County. ALATINE, 1993.
Rationale for Basis (applies to any boxes checked above):	and is not under includiation of this office.
Pond does not appear to be hydrologically connected to navigable waters  Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary	destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:	
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3</li> <li>✓ Area under consideration is likely to have been jurisdiction</li> <li>✓ Area under consideration is not likely to have been jurisdiction</li> </ul>	al under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jurisdiction on the basis of 32	8.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary.	, prepared by .
Recommended by:	Date: 16 May 03
Recommended by:	Dufe
Wetlands are identified and delineated using the methods and criteria established occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Proce	

from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river borms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

FILE NUMBER: 200500592					
REGULATORY PROJECT MANAGER:	Steve Gagnon	Date	e: 12	May 200	5
PROJECT REVIEW/DETERMINATION C PROJECT LOCATION INFORMATION:		In the office At the project site	Y	(Y/N) (Y/N)	Date: Date: 10 May 2005
State: County: Center coordinates of site by latitud Approximate size of site/property (i Name of waterway or watershed:				Illinois Cook 42 -6-33 I Des Plai	.4713; 88 -5-55.3664 nes
SITE CONDITIONS:					

Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake					<u> </u>				
River					10				15
Stream									15
Dry Wash							<u> </u>		
Mudflat					† <u></u> -	<u> </u>	<u> </u>	<del></del>	十三 ——
Sandflat	<del></del>	† <del></del>	† <u></u>	† <u>-</u>	† <del></del>	† <del>~</del>		T	
Wetlands	<u> </u>	<del></del>				15	<b>     </b>	<del> </del>	<u> </u>
Slough			15	15		<del>                                     </del>	<del></del>	<u> </u>	
Prairie pothole	1 <u>5</u>	† <del>  </del>	<del>                                     </del>	† <del>=</del>	<del>     </del>	† <u></u>	† <u>                                    </u>		15
Wet meadow			171				17		16-
Playa take				† <b>-</b>	† <del>  </del>	<del>     </del>	† <del> </del>		<del>                                     </del>
Vernal pool		† F	十三 —		1 [ ]	1		<del> </del>	177-
Natural pond		177	17	1 <del>5</del>	1 <del>75</del>	15		·	<del>      -   -                            </del>
Other water (Identify type) Excavated Pond					10				10

Migratory Bird Rule Factors':	If Known		If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treatics?							
Is or would be used as habitat by other migratory birds that cross state lines?	×						
Is or would be used as habitat for endangered species?							
Is used to irrigate crops sold in interstate commerce?							
'Check appropriate boxes that best describe potential for appli non-navigable, intra-state aquatic resource area.	cability of	the Migrat	ory Bird Rule to	apply to onsite, non-	jurisdictional, isolated,		

#### TYPE OF DETERMINATION:

DISTRICT OFFICE: Chicago

Preliminary Or Approved

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

# APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Mr. & Mrs. Shroka PROJECT LOCATION/WATERWAY: South Of II, Route 120 And 1/2 Of A Mile East Of II. Route 137 In Grayslake, Lake County, Illinois (Section 26, T45N, R10E) FILE NUMBER: 200500449 PROJECT REVIEW COMPLETED: ♥ Office ♥ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330), An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US, (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wellands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: □ USDA Natural Resources Conservation Service Soil Survey for Lake County. U. S. Geological Survey 7.5 Minute Topographic Maps: GRAYSLAKE, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): 2004 Advanced Identification Wetland Maps: Site Visit Conducted on: March 29, 2005 Other information: Rationale for Basis (applies to any boxes checked above): The wetland areas highlighted in your submittal do not exhibit an identifiable hydrologic connection to a navigable waterway, such as the Des Plaines River Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris ☐ shelving changes in the character of soil other wetland boundary **Basis for Declining Jurisdiction:** ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Recommended by Date: Approved by:

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER:	)								
REGULATORY PROJECT N	MANAGE	R: Pau	ul Leffle	er	Da	ite: May 11, 2	2005		
PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: At the project site (Y/N) Date: March 29, 2005									
PROJECT LOCATION INFO	ORMATIC	ON:				Illinoi	s		
County:				## <b>!</b>	V	Lake	12 0200 00	. 10 1000	
Center coordinates of Approximate size of						20	1-12.8799 88 <b>-</b>	1-17.1000	
Name of waterway of			ուսե ոհ	tanus & m	aci esj.	Des P	laines		
SITE CONDITIONS:	n watersii	cu.				Desi	idine.3		
OILE COMBINE									
Type of aquatic resource	0-1 ac	1-3 ac	3-5 aç	5-10 ac	10-25 s	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River		<u> </u>	<u> </u>						
Stream		<u> </u>				<u> </u>			
Dry Wash	<u> </u>	<u> </u>		<b>↓</b> □	<u> </u>				
Mudflat	<u> </u>	<del>                                      </del>		🖳	<u> </u>		<u> </u>		↓ 🖳
Sandflat		<u> </u>	<u> </u>	<u> </u>					
Wetlands	<b>↓</b> □			<b></b> ⊒	<u> </u>	<u> </u>	<u> </u>		<u> </u>
Slough	<b>↓</b> Ц	<u> </u>	므_	<u> </u>			_		<u> </u>
Prairie pothole	↓ <u>↓</u>	<del>│</del> ╘┩┈┈┆	<u> </u>	<del>-      </del>					<u> </u>
Wet meadow	14—	<del>↓</del>		<del>     </del> -			_ <u> -</u>		<del>↓</del>
Playa lake	1-14-	<del>│</del> ┟┤┈┈┤		<u> </u>	<u> </u>				<u> </u>
Vernal pool	<del>     </del>	╁╠┈┤	Ц_	<del>-1   </del>	<del>-   <u> -</u> -</del> -		<u> </u>		<u> </u>
Natural pond	<del>↓</del>	<del>                                      </del>	<del>  </del>	<del>                                     </del>		<u> </u>	<del></del>		
Other water (identify type)									
1Check appropriate boxes that be	est describe	type of isola	ated, no	n-navigable.	intra-state	water present	and best estimat	e for size o	f non-
jurisdictional aquatic resource ar		-y p							
Migratory Bird Rule Factors1:				If Known		If Unknown	fessional Judgme	t	
			ŀ	Yes	No	Predicted	Not Expected		Able To Make
					.,,,	to Oceur	Occur		etermination
Is or would be used as habitat for Migratory Bird Treaties?	birds prot	ected by				×			
	s or would be used as habitat by other migratory birds that								
	or would be used as habitat for endangered species?								
Is used to irrigate crops sold in in									
Check appropriate boxes that be			or applic	ability of th	c Migratory	Bird Rule to	apply to onsite, n	on-jurisdic	tional, isolated,
non-navigable, intra-state aquati	c resource :	агеа							
TYPE OF DETERMINATIO	N:				Pı	reliminary [	Or Approv	ed 🛚	
OPITIONAL ADDITIONAL									
rationale used to determine N							ation of interst	ate comm	cree

# APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Rachel Ridge PROJECT LOCATION/WATERWAY: Northwest of the Intersection of Laraway Road and Spencer Road Near New Lenox, Will County, Illinois PROJECT REVIEW COMPLETED: ☐ Office ☐ Field FILE NUMBER: 200500420 Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US, (33 CFR 328.3 (a)(5)) ☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Section 10 waterway. Information Reviewed ☑ U. S. Fish and Wildlife Service National Wetland Inventory: MANHATTAN. U. S. Geological Survey Hydrologic Atlas: MANHATTAN, 211. ☑ USDA Natural Resources Conservation Service Soil Survey for Will County. U. S. Geological Survey 7.5-Minute Topographic Maps: MANHATTAN, 1990. Aerials (Name & Date); New Lenox, 1998 Advanced Identification Wetland Maps: Site Visit Conducted on: May 3, 2005 Other information: Rationale for Basis (applies to any boxes checked above): The farmed wetland located on the subject property is isolated and therefore not jurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of I/O rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Date: 10 may 05 Recommended by: Approved by: <sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500420									
REGULATORY PROJECT MANAGER: Melyssa Cruz Date: 10 May 2005									
PROJECT REVIEW/DETER	MINATI	ON COM	PLETE		In the office e project sit	,	,	1uv 2005	
PROJECT LOCATION INFO	RMATIC	ON:		744 1114	r project an	(1///	, Date: 10 1.	14, 2000	
State:						Illinoi	is		
County:						Will	_		
Center coordinates o	f site by I	atitude &	longitu	dinal coo	rdinates:	41-29	-4.9989 & 87-5	7-0.0482	
Approximate size of	site/prope	erty (incl	uding up	lands & i	n acres):				
Name of waterway or	r watersh	ed:				Des P	laines		
SITE CONDITIONS:									
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear	Unknown
Type or aquatic resource	0-120	1-5 20	J-3 AC	3-10-20	10-25	25-50 20	.   - 30 ac	feet	Cukuowa
Lake									
River					<u> </u>		□		
Stream	<u> </u>		$\perp \square$	<u> </u>				1	
Dry Wash	<u> </u>	<del>     </del>		<u> </u>					<u> </u>
Mudflat	<del>     </del>	<del>│                                    </del>	<del></del>		<u> </u>				<del>                                     </del>
Sandflat		<del>                                      </del>	┼┾	<del>-     -</del>	<del>-      </del>	<del>-    - </del>	<del>-    - </del>	-	
Wetlands		<del>      -</del>	<del>      -</del>	<del>       </del>	<u> </u>			ļ	1
Slough	┼┼┼	╀	╁┼	<del>       </del>	<del>-    -  </del> -			<del> </del>	<del>   </del>
Prairie pothole	<del>                                     </del>	14-		12					<del>   </del>
Wet meadow Plays lake	┼∺─	<del>┤╞</del> ═╌╌	╁╠			·····- <del> -</del>   <del>- </del>	<del></del>		+=
Vernal poul	├┼	<del>                                     </del>	╁┼┼	$+ \vdash$					├· <b>├</b> · · · · · · · · · · · · · · · · · · ·
Natural pond	┼≒┼	<del>                                      </del>	┼┾┽╌		┈╫┈	<del></del>	<del>-      </del>		+=
Other water (identify type)	+	<del>      -     -     -                    </del>	12		-∺	···		<del> </del>	
Since water (data in type)	-			] -			1 -		-
					1			1	
Check appropriate boxes that be	st describe	type of iso	olated, no	n-navigabl	le, intra-state	water present	and best estima	te for size of	non-
jurisdictional aquatic resource ar	ta.			<b>.</b>					
Migratory Bird Rule Factors <sup>1</sup> :				If L	Known	1	If Unk	плоч	
rigiatory into Kuit Pattors.					пони	] ,	Use Best Profess		ent
				Yes	No	Predicted	Not Expected	to Not A	Able To Make
					[m]	to Occur	Occur		termination
Is or would be used as habitat for	birds prot	ected by				⊠		🗆	
Migratory Bird Treaties?  Is or would be used as habitat by	other mier	atory bird	ls that		$\vdash$	<u> </u>	†	· · · ·   · · · ·	
cross state lines?	orner img	atory bire	5 (1141	-	-		-	-	
Is or would be used as habitat for	endangere	ed species?				$\boxtimes$			
Is used to irrigate crops sold in in									
*Check appropriate boxes that be non-navigable, intra-state aquatic			for applic	cability of (	the Migrator	y Bird Rule to	apply to onsite,	non-jurisdiel	tional, isolated,
non navigable, illia-state aquain	. coodice /								
TYPE OF DETERMINATION	N:				P	reliminary [	Or Appro	ved 🛚	
OPITIONAL ADDITIONAL	INFORM	IATION	SUPPOI	RTING N	JD (e.g., na	ragraph 1 – s	ite conditions:	paragraph	ıs 2-3
rationale used to determine N									
connections; and paragraph 4									

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Planned Development & Construction PROJECT LOCATION/WATERWAY: Parcel located south of Powers Road in Huntley, Kanc County, Illinois (NW 1/4 of Section 10, T42N R7E) PROJECT REVIEW COMPLETED: ☑ Office ☑ Field FILE NUMBER: 200500543 Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: ☐ There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. ☐ There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) ☑ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: HUNTLEY. U. S. Geological Survey Hydrologic Atlas: HUNTLEY, HA 361. ☑ USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: HUNTLEY, 1992. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): Google Maps ✓ Advanced Identification Wetland Maps: KANE COUNTY Site Visit Conducted on: April 19, 2005 by Jaimee W. Hammit of the USACE, Chicago District Other information: FEMA FIRM, NRCS Certified Wetland Determination Rationale for Basis (applies to any boxes checked above): Wetlands 1 - 10 (designated as such by Ehorn Environmental, Ltd. in the March 2005 Wetland Delineation Report) are all isolated as they do not have a surface water tributary system connection. Therefore, Wetlands 1-10 are not under the jurisdiction of the U.S. Army Corps of Engineers. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soils other: wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary. Recommended by: Approved by: \_

<sup>&</sup>lt;sup>1</sup>Wotlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

# DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500543 REGULATORY PROJECT MANAGER: Jaimee Hammit Date: 5/9/05 PROJECT REVIEW/DETERMINATION COMPLETED: In the office Date: 5/9/05 (Y/N)At the project site (Y/N) Date: 4/19/05 PROJECT LOCATION INFORMATION: State: Illinois County: Kane Center coordinates of site by latitude & longitudinal coordinates: Lat: 42-8-12, Lon: 88-22-45 Approximate size of site/property (including uplands & in acres): 68 acres Name of waterway or watershed: Kishwaukee River SITE CONDITIONS: Type of aquatic resource 0-1 ac 1-3 ac 3-5 ac 5-10 ac 10-25 ac 25-50 ac > 50 ac Lincar Unknown feet Lake River  $\overline{\Box}$ П П Stream П Dry Wash П Г Mudflat Г Sandflat Г Wetlands Ø Г Slough ┍╴ Prairie pothole Wet meadow Playa lake Vernal pool Natural pond Other water (identify type) Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-Jurisdictional aquatic resource area. Migratory Bird Rule Factors': If Known If Unknown Use Best Professional Judgment Yes No Predicted Not Expected to Not Able To Make to Occur Occur Determination Is or would be used as habitat for birds protected by  $\Box$ X Migratory Bird Treaties? Is or would be used as habitat by other migratory birds that X cross state lines? Is or would be used as habitat for endangered species? X Is used to irrigate crops sold in interstate commerce? Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated,

TYPE OF DETERMINATION:

non-navigable, intra-state aquatic resource area.

Preliminary 🗌 Or Approved 🛛

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Clarke Real Estate   PROJECT LOCATION/WATERWAY: 78.2 Acre Parcel at Center and Steger Roads in Frankfort, Will County, IL (SW 1/4 Sec 34 T35N R12E)   FILE NUMBER: 200500093   PROJECT REVIEW COMPLETED: ☑ Office ☐ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>□ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>
Information Reviewed  □ U. S. Fish and Wildlife Service National Wetland Inventory: FRANKFORT.  □ U. S. Geological Survey Hydrologic Atlas: FRANKFORT, 231.  □ USDA Natural Resources Conservation Service Soil Survey for Will County.  □ U. S. Geological Survey 7.5-Minute Topographic Maps: FRANKFORT, 1990.  □ U. S. Geological Survey 7.5-Minute Historic Quadrangles:  □ U. S. Geological Survey 15-Minute Historic Quadrangles:  □ Acrials (Name & Date):  □ Advanced Identification Wetland Maps:  □ Site Visit Conducted on:  □ Other information: 200400726 - Letter dated 25 AUG 2004
Rationale for Basis (applies to any boxes checked above): Wetland A (approximately 2.91 acres) is hyrdrologically connected to the West Fork of the West Branch of the Hickory Creek Tributary to the Des Plaines River, a navigable "waters of the United States". Wetland B (approximately 1.2 acres) is isolated and therefore not jurisdictional.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ wetland boundary  □ other:
Basis for Declining Jurisdiction:
☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  ☐ This office concurs with your wetland delineation report dated ☐ This office does not confirm your wetland boundary  ☐ This office does not confirm your wetland boundary
Recommended by: Date: 5 MG OJ
Approved by:  ORIGINAL SIGNED Date: 5 MG 05  Approved by:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago

FILE NUMBER: 200500093								
REGULATORY PROJECT	MANAGE	R: R	on Abran	it	D	ate: 6 MAY 20	005	
PROJECT REVIEW/DETER			PLETE		n the office project sit	,		2005
PROJECT LOCATION INFO						Illinois Will		
Center coordinates of Approximate size of	site/prope	erty (inclu				78	15 / 87-50-35	
Name of waterway to SITE CONDITIONS:	r watersh	ed:				Hickor	y Creek / Des Pl.	aines River
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac		Linear Unknown
Lake								
River		<del>                                     </del>						
Stream		一百		T   T		<u> </u>	<del>-                                      </del>	
Dry Wash	<u> 155 — </u>	╅	† <del>Fi</del>			<del></del>		<del>-</del>
Mudflat	<del>                                      </del>	† <del>   </del>	† <del>  </del>		<del>-                                      </del>			_ ·   <del>    _ · -</del>
Sandflat	十一 —	177	† <del>75</del>		1 17	<del></del>	+ <del>                                     </del>	<del></del>
Wetlands	<del>-                                      </del>		<del>                                      </del>	╅	-   뉴 -		<del></del>	<del></del>
Slough	┪╌	<del>                                      </del>	<del>                                      </del>	十一	<del>-    -   -   -   -   -   -   -   -   - </del>	<del></del>	<del>-   -   -   -   -   -   -   -   -   -  </del>	<del>-       -</del>
Prairie pothole	╅	+=-	╁╄─	<del>·├</del>	<del>-          </del> -	<u> </u>	<del>                                      </del>	<del>-        </del>
Wet meadow	╁╬┈	<del>   - </del>	<del>├</del> Ħ─	<del>      -</del> -		<del></del>	- <del>        -   -   -   -   -   -   -</del>	——————————————————————————————————————
Playa lake	<del>-                                      </del>	+=-	<del>   - </del>	╅	<del>-    - </del>	<del>-    -  -</del>	<del></del>	·
Vernal pool	<del> </del>		╁╞╡╌	<del>-    -  -  -  -  -  -  -  -  -  -  -  - </del>		╼╌┼╞╡┄	┵	<del></del>
Natural pond	<del>      -   -     -     -                </del>	<del>                                     </del>	╁╞╬╌╌	<del>      -</del>	<del>}                                   </del>	··- <del></del>	<del>-    -   -   -   -   -   -   -   -   - </del>	
	<del></del>	┼ <u>├</u> ;──	<del>                                     </del>	<del>-   - </del>	<u> </u>	╼╶┼┾┽╌		<del></del>
Other water (identify type)	.   -							
Check appropriate boxes that be jurisdictional aquatic resource at		type of iso	lated, no	navigabl	e, intra-state	water present	and best estimate	for size of non-
Migratory Bird Rule Factors1:		lf K	nwo	, T	If Unkno se Best Profession			
			1	Yes	No	Predicted	Not Expected to	
				100	/10	to Occur	Осент	Determination
Is or would be used as habitat for Migratory Bird Treaties?								⊠
Is or would be used as habitat by cross state lines?	other migr	atory bird	s that					
Is or would be used as habitat for	r endangere	d species?						
Is used to irrigate crops sold in it	iterstate co	mmerce?						
<sup>1</sup> Check appropriate boxes that be non-navigable, intra-state aquati	est describe	potential 1	or applic	ability of t	he Migrator	y Bird Rule to a	pply to onsite, no	n-jurisdictional, isolated.
TYPE OF DETERMINATION		<u>-</u>				reliminary [	Or Approve	 ⊠

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

# APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Ryland Homes PROJECT LOCATION/WATERWAY: 189-acre Webb/Young Property (Formerly Montaibano 200300389) along Fraction Run Creek in Lockport, Will County, Il (North 1/2 Sec 36 T36N R10E) PROJECT REVIEW COMPLETED: ☑ Office ☐Field FILE NUMBER: 200400690 Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330), An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent2 (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrustate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: JOLIET. U. S. Geological Survey Hydrologic Atlas: JOLIET, 89. ■ USDA Natural Resources Conservation Service Soil Survey for Will County. U. S. Geological Survey 7.5-Minute Topographic Maps: JOLIET, 1993. U. S. Geological Survey 7.5-Minute Historic Quadrangles: U. S. Geological Survey 15-Minute Historic Quadrangles: ☐ Aerials (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: ☐ Other information: Rationale for Basis (applies to any boxes checked above): Wetlands 1 and 2 are adjacent to Fraction Run Creek flowing through the property. Fraction Run Creek is a tributary to the I & M Canal, a navigable waters of the U.S. The recently identified 1.5 acre farmed wetland in the southeast portion of the site is isolated from Fraction Run an dis not jurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary Basis for Declining Jurisdiction: M Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationalc] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Date: 24/7/14/08

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

Date: \_\_\_24 A1>

Recommended by: \_\_\_

Approved by:

Wotlands separated from other waters of the U.S. by man-made dikes or barriers, natural river borms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200400690										
REGULATORY PROJECT	MANAGE	R: Re	on Abrai	nt	Da	ite: 24 May 2	005			
PROJECT REVIEW/DETER			PLETE		in the office project sit	4.5		May 2005		
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of Name of waterway of SITE CONDITIONS:	of site by la site/prope	atitude & rty (inclu				189	is -58 / 88-02-05 on Run Creek		nal	
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ic 25-50 ac	> 50 ac	Linear feet	Unknown	
Lake	$\vdash \sqcap$		<del> </del>	_		<del>   </del>	$\neg \neg$	<del> </del>		
River	╅		╁┼╡┈┈	+片-		<del>-       -</del>	<del>-       -   -   -   -   -   -   -   -  </del>	<del></del>	+=	
Stream	╅	┼┼┼┈	╁┾┽	╅	<del>-      </del>	<del>-       -   -   -   -   -   -   -   -  </del>	<del>-      </del>		ᆂ	
Dry Wash	<del>                                     </del>	╁╌╠┤──	<del>     </del>	무	<del></del>	<del>-       -   -   -   -   -   -   -   -  </del>	<del>-   -   -   -   -   -   -   -   -   -  </del>		╅	
Mudflat	┤;;;;	<del>                                     </del>	<del>   = </del> -	<del>-    - </del>	<del> </del>	<del>-    -  </del> -	<del></del>	+	十片:一	
Sandflat	╅	<del>       </del>	╁┼┼	ᆂ	<del>-         -  </del>	─-ヤऱ-	$\dashv \vdash \vdash$	<del> </del>	<del>                                     </del>	
Wetlands	+ $+$ $-$	₩	+#-	<del>       </del>	<del>-    = </del>	$\dashv \exists \vdash$	<del>-    - </del>	+	<del>-     -   -   -   -   -   -   -   -   -</del>	·
Slough	╅		<del>   </del>	<del>     </del>	$\dashv$	<del>-       -   -  </del>	<del>-      -    </del>	<del></del>	<del>                                      </del>	
Prairie pothole	++	片	<del>│                                    </del>	┪	<del>-     -   -   -   -   -   -   -   -   -</del>	<del></del>	<del>-    -   -   -   -   -   -   -   -   - </del>	<del> -</del>	ᅥ片	
Wet meadow	╅┼	<del>                                     </del>	╀┾┽	<del>     </del>	<del></del>	<del>-    -  </del>		+		
Playa lake	- - -	<del>├</del>	<del>                                     </del>	<del>                                     </del>	<del></del>	<del></del>	<del>-    -  -</del>	+	ᅥ片	
	<del>-                                    </del>	<del>                                      </del>	┞╞╡	<del>- =</del> -		-		+	<del> </del>	
Vernal pool	<del>      -   -   -   -   -   -   -   -   -</del>	<del>│                                    </del>	<del>                                     </del>	<del>-  -  -  -  -  -  -  -  -  -  -  -  -  -</del>	<del></del>	<del></del>	<del>-    -  </del> -	<del></del>	-   -	
Natural pond Other water (identify type)			╁	1 = -		<u> </u>		<del>                                     </del>		
<sup>1</sup> Check appropriate boxes that be jurisdictional aquatic resource as		type of iso	lated, no	n-navigabl	e, intra-state	water present	and best estim	nate for size o	์ ถบก-	
Migratory Bird Rule Factors:				If K	bown		If Un Use Best Profe	iknown esianal Judai	ment	
				Yes	No	Predicted to Occur	Not Expecte Occur	d to Not	Able To Mak etermination	(e
Is or would be used as habitat for	r birds prot	ected by								
Migratory Bird Treaties?  Is or would be used as habitat by other migratory birds that cross state lines?						×				
Is or would be used as habitat for	r endangere	d species?					$\boxtimes$		***************************************	
Is used to irrigate crops sold in interstate commerce?										
Check appropriate boxes that be non-navigable, intra-state aquati	est describe	potential (	for applic	cability of t	he Migrator	Bird Rule to	apply to onsite	, nun-jurisdi	ctional, isolate	cd,
TYPE OF DETERMINATION	n:				Pı	reliminary [	Or Appr	oved 🖾		
OBITIONAL ADDITIONAL	INFORM	ATION	יחפפוז	RTING N	ID (e.g. co.	racraph 1 -	rite condition	e, Dakausen	hs 2-3 -	

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Georgiou Partnership PROJECT LOCATION/WATERWAY: 191 <sup>st</sup> Street and 88 <sup>th</sup> Avenue along Union Drainage Ditch in Mokena, Will County, IL (S 1/2 Sec 2 T35N R12E)  FILE NUMBER: 200400799 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site.  The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))  The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))  The presence of a tributary to an interstate water or other water of the U.S. (33 CFR 328.3 (a)(5))  The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the U.S. except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))  The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).  Other:  Section 10 waterway.
Information Reviewed
<ul> <li>☑ U. S. Fish and Wildlife Service National Wetland Inventory: TINLEY PARK.</li> <li>☑ U. S. Geological Survey Hydrologic Atlas: TINLEY PARK, 152.</li> <li>☑ USDA Natural Resources Conservation Service Soil Survey for Will County.</li> <li>☑ U. S. Geological Survey 7.5-Minute Topographic Maps: TINLEY PARK, 1993.</li> <li>☑ U. S. Geological Survey 7.5-Minute Historic Quadrangles:</li> <li>☑ U. S. Geological Survey 15-Minute Historic Quadrangles:</li> <li>☑ Aerials (Name &amp; Date):</li> <li>☑ Advanced Identification Wetland Maps:</li> <li>☑ Site Visit Conducted on: 13 MAY 2004</li> <li>☑ Other information:</li> </ul>
Rationale for Basis (applies to any boxes checked above): The tributary of Union Drainage Ditch flowing through the site is tributary to the Des Plaines River and is a jurisdictional waters of the U.S. Wetlands 1,2,3, and 4 are isolated wetlands in the Union Drainage Ditch watershed.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ wetland boundary  ☐ other:
Basis for Declining Jurisdiction:
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated June 1, 2004, prepared by CBBEL.  This office does not confirm your wetland boundary
Recommended by: Date: 25 My 7 05  Approved by: Date: 25 My 7 05
Approved by
Nephroven by

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicag FILE NUMBER: 200400799									
REGULATORY PROJECT	MANAGE	R: Ro	n Abran	t	Da	ate: 25 MAY 2	005		
PROJECT REVIEW/DETER	RMINATIO	ON COM	PLETE		n the office project sit	(,	Date: Date: 13 MAY 2004		
PROJECT LOCATION INFO State: County: Center coordinates			longitur			Illinois Will		A 1 2004	
Approximate size of Name of waterway of SITE CONDITIONS:	site/prope	erty (inclu				160	Drainage Ditch	/ DPR	
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ис 25-50 яс	> 50 ac	Linear feet	Unknown
Lake				<u> </u>					
River		!	<del>                                      </del>	<del>                                      </del>	<del>-                                    </del>				1 🗂 📉
Stream	<del>                                      </del>	† <del>ቨ</del>	一計	1 🗂	<del>   </del>		╅		<del>                                     </del>
Dry Wash	<del>                                      </del>	╁┼	╁╄┈	<del>                                      </del>	<del>-    </del>		<del>                                     </del>		<del>│                                    </del>
Mudflat	╅	<del>   = </del>	H	╅	<del>-    </del>	<del></del>	<del>ॏॱऻॗज़</del> ॔ऻ		<b>→ 片</b> ·······
Sandflat	<del>-    -  </del>	╁╞╡	<del> </del>	┧∺	<del></del>	<del></del>	<del>                                      </del>		<del>                                     </del>
Wetlands	╅	<del>├</del> <del>╞</del>	-#-	<del>                                      </del>	·· <del>   - </del>		<del>··├├</del> ┽		┼┼┤┈┈
	<del>-    -  -  -  -  -  -  -  -  -  -  -  - </del>	H	- <u> - </u>	+ 123	┷	·· <del>·    - </del> ···	<del>      -   -  </del>		<del></del>
Slough	<del>-  -  -</del> -	╁╞╡──	┝╞╧┈	<del>                                     </del>			<del>-  -    </del>		<del>┤</del>
Prairie pothole	┵┢╧	╁╞┽	<del>   </del>	<del>                                     </del>	<del></del>	— <del>    </del>	<del>-    -    </del> -		<del>- - - </del>
Wet meadow	<del>-     -</del>	<del>┡</del> ═┈—	<del>   - </del>	<b>┦</b> 岸			<del>┤</del> ╞╤┩		<del>     </del>
Playa take	<del>-   <u>  -</u></del>	<del>      -                                </del>	<u> </u>	<u> </u>	<u> </u>	<del></del>	<del>     </del>		<del>                                     </del>
Vernal pool	<del>      -</del> -	<u> </u>	<u>                                     </u>	<u> </u>			-  <del>    -</del>		_   <u></u>
Natural pond	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<del>                                     </del>				<u> </u>
Other water (identify type)	-								
Check appropriate boxes that be jurisdictional aquatic resource a		type of iso	lated, noi	n-navigable	e, intra-state	water present :	and best estimate	e for size o	f non-
	_						15-1		
Migratory Bird Rule Factors':					nown		If Unkn se Best Profession	onal Judge	
				Yes	No	Predicted to Occur	Not Expected t		Able To Make termination
Is or would be used as habitat for birds protected by Migratory Bird Treatles?									
Is or would be used as habitat by other migratory birds that cross state lines?						×			
Is or would be used as habitat for endangered species?								⊠	
Is used to irrigate crops sold in interstate commerce?									
Check appropriate boxes that b	est describe	potential f	or applic	ability of t	he Migrator	y Bird Rule to a	pply to onsite, n	on-jurisdic	tional, isolated,
non-navigable, intra-state aquati	ic resource a	area.							
TYPE OF DETERMINATION	n:				P	reliminary 🗌	Or Approv	ed 🗵	
OPITIONAL ADDITIONAL	INFORM	IATION S	UPPOR	RTING NJ	ID (e.g., pa	ragraph 1 – si	te conditions;	рагадгар	hs 2-3 –

rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

# APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: TWJ Associates PROJECT LOCATION/WATERWAY: Northeast Corner of Exchange Street and Kings Road in Crete, Will County, Illinois PROJECT REVIEW COMPLETED: ☐ Office ☐ Field FILE NUMBER: 200401029 Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. ☐ There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US, (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairic potholes, wet meadows, playa lakes, or natural ponds). Section 10 waterway. Information Reviewed ☑ U. S. Fish and Wildlife Service National Wetland Inventory: STEGER. U. S. Geological Survey Hydrologic Atlas: STEGER, 209. ☑ USDA Natural Resources Conservation Service Soil Survey for Will County. U. S. Geological Survey 7.5-Minute Topographic Maps: STEGER, 1990. U. S. Geological Survey 7.5-Minute Historic Quadrangles: U. S. Geological Survey 15-Minute Historic Quadrangles: Aerials (Name & Date): Crete, 2001 ☐ Advanced Identification Wetland Maps: \_ Site Visit Conducted on: May 19, 2005 Other information: Rationale for Basis (applies to any boxes checked above): Intermittent tributaries 1-3 and Wetland C are tributaries to Deer Creek. Wetland A and Wetland B drain into Wetland C via underground tiles and are therefore hydrologically connected. Wetland E is adjacent to Wetland C and is therefore jurisdictional. Wetland D is isolated and therefore not jurisdictional. Deer Creek drains into Thorn Creek. Thorn Creek discharges into the Little Calumet River which then flows into the Calumet River a navigable waters of the U.S. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

This office concurs with your wetland delineation report dated May 15, 2005, prepared by Planning Resources.

Date: 3/May 05

\_\_\_ Date: \_\_ ?/ An an an

Confirmation of Wetland Boundaries

Approved by:

Recommended by:

This office does not confirm your wetland boundary

2 Wetlands separated from other waters of the U.S. by man	-made dikes or barriers	natural river berms,	beach dunes,	and the like	are also
adjacent.					

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200401029			
REGULATORY PROJECT MANAGER: Melyssa C	ruz Date: 3	l May 200	5
PROJECT REVIEW/DETERMINATION COMPLETE	D: In the office At the project site Y	(Y/N) (Y/N)	Date: Date: May 15, 2005
PROJECT LOCATION INFORMATION:			•
State:		Illinois	
County:		Will	
Center coordinates of site by latitude & longitue Approximate size of site/property (including up		41,26,42	2.03& 87.38.55.45
Name of waterway or watershed:		Lake Mi	chigan
SITE CONDITIONS:			

Type of aquatic resource	0-1 ис	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River						1 🗇			10
Stream						T 📑 · · · —			
Dry Wash					To			1	
Mudflat					Tö		10		
Sandflat								7	
Wetlands	T 🛱		Ħ		<b>↑</b> □		15		
Slough	┪				16		† <del>=</del>		<u> </u>
Prairie pothole	<u> </u>				18		† <del></del>	1	
Wet meadow							<del>                                     </del>	T	T 📑
Playa lake			$\dagger \overline{\Box}$		† <del> </del>	$\uparrow \Box$		1	
Vernal pool		18	$\dagger \Box$		1 🛅 📉			T	
Natural pond								T	
Other water (identify type)									
<sup>1</sup> Check appropriate boxes that t	- describe	tune of ire	lated non	navinable i	ntro state was	ter present a	ad beet autim	ute for viza o	[ non-

Migratory Bird Rule Factors':	If I	Cnown		If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination			
Is or would be used as habitat for birds protected by Migratory Bird Treatles?			Ø					
Is or would be used as habitat by other migratory birds that cross state lines?								
Is or would be used as habitat for endangered species?			$\boxtimes$					
Is used to irrigate crops sold in interstate commerce?			×		Ĭ			
Check appropriate boxes that best describe potential for appl non-navigable, intra-state aquatic resource area.	icability of	the Migrato	ry Bird Rule to	apply to onsite, non-	jurisdictional, isolated			
TYPE OF DETERMINATION:		J	Preliminary [	Or Approved	$\boxtimes$			

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

# APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District

APPLICANT: Premier Property Group PROJECT LOCATION/WATERWAY: Woodstock, McHenry Co.
FILE NUMBER: 200500424 PROJECT REVIEW COMPLETED: ☐ Office ☑ Field
Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are mon-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>□ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>
Information Reviewed
<ul> <li>□ U. S. Fish and Wildlife Service National Wetland Inventory: WOODSTOCK.</li> <li>□ U. S. Geological Survey Hydrologic Atlas:</li> <li>□ USDA National Resources Conservation Service Soil Survey for McHenry County.</li> <li>□ U. S. Geological Survey 7.5 Minute Topographic Maps: WOODSTOCK, 1992.</li> <li>□ U. S. Geological Survey 7.5 Minute Historic Quadrangles:</li> <li>□ U. S. Geological Survey 15 Minute Historic Quadrangles:</li> <li>□ Acrial Photographs (Name &amp; Date): 2001</li> <li>□ Advanced Identification Wetland Maps: MCHENRY COUNTY</li> <li>□ Site Visit Conducted on:</li> <li>□ Other information:</li> </ul>
Rationale for Basis (applies to any boxes checked above): Wetland 1 is tributary to the Kishwaukee River, which is tributary to the Rock River, a navigable waterway. Wetlands 2, 3, 4, 5 and Farmed Wetland 6 are isolated and therefore not regulated by the Department of the Army.
I.ateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated December 1, 2004, prepared by Hey and Associates, Inc.  This office does not confirm your wetland boundary
Recommended by:
Approved by:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).
<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

FILE NUMBER: 20050042									
REGULATORY PROJECT	MANAGE	R: K	ate Bliss		D	ate: 5/30/05			
PROJECT REVIEW/DETE			PLETE		n the office project sit	e (Y/N teY (Y/N)	) Date: Date: 3/24/05		
PROJECT LOCATION IN	FORMATIO	ON:							
State:						Illinoi			
County:						McHe	*		
Center coordinates							-9.2068, 88-26-	7.8631	
Approximate size of			iding up	lands & in	acres):	43			
Name of waterway	or watersh	ed:				Kishw	aukee		
SITE CONDITIONS:									
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear	Unknown
								feet	
Lake				<b>↓</b> □					
River									<u> </u>
Stream		<u> </u>							
Dry Wash				<u> </u>					
Mudflat									
Sandflat									
Wetlands			⊠ _						
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)	_								
Check appropriate boxes that jurisdictional aquatic resource		type of iso	lated, no	n-navigable.	, intra-state	water present	and best estimate	le for size of	Toon-
Migratory Bird Rule Factors1:				If Known		If Unknown Use Best Pro	fessional Judgm	ent	
				Yes	No	Predicted to Occur	Not Expected Occur	to Not.	Able To Make termination
Is or would be used as habitat for Migratory Bird Treaties?	•								
Is or would be used as habitat be cross state lines?	s that	⊠ ″							
Is or would be used as habitat f									
Is used to irrigate crops sold in							×		
<sup>1</sup> Check appropriate boxes that non-navigable, intra-state aqua			for applic	ability of th	e Migrator	y Bird Rule to	apply to onsite, r	ion-jurisdic	tional, isolated,
TYPE OF DETERMINATI	ON:				P	reliminary [	Or Approv	red 🛛	
OPITIONAL ADDITIONAL rationale used to determine connections; and paragraph	NJD, includ	ling infor	mation	reviewed t	o assess po	otential navig			

# APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District

APPLICANT: IUOE Local 150 PROJECT LOCATION/WATERWAY: 306-acre property as part of former Joliet Arsenal in unincorprated Wilmington, Will County, IL (SE 1/4 Sec 16 T33N R10E) FILE NUMBER: 200500254 PROJECT REVIEW COMPLETED: ☐ Office ☑ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>☐ There are no jurisdictional waters of the United States present on the project site.</li> <li>☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>☐ Other:</li> <li>☐ Section 10 waterway.</li> </ul>
Information Reviewed
<ul> <li>U. S. Fish and Wildlife Service National Wetland Inventory: SYMERTON.</li> <li>U. S. Geological Survey Hydrologic Atlas: SYMERTON, 305.</li> <li>USDA Natural Resources Conservation Service Soil Survey for Will County.</li> <li>U. S. Geological Survey 7.5-Minute Topographic Maps; SYMERTON, 1993.</li> <li>U. S. Geological Survey 7.5-Minute Historic Quadrangles:</li></ul>
Rationale for Basis (applies to any boxes checked above): The three wetlands identified onsite are isolated wetlands in the watershed of the Jordan Creek tributary to the Kankakee River. NO JURISDICTION. NO PERMIT REQUIRED.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
<ul> <li>☑ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>☑ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary
Recommended by:
Recommended by:         Date:         23Mg 05           Approved by:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,
occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500254									
REGULATORY PROJECT M	IANAGE	R: Ro	on Abran	it	D	nte: 23 Ma y 2	005		
PROJECT REVIEW/DETERS	MINATI(	ON COM	PLETE		In the office project sit	( )		May 2005	
PROJECT LOCATION INFORMATION:  State: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: SITE CONDITIONS:  Illinois Will 41-20-37 / 88-4-41 306 Jordan Creek tributary to Kankakee									
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear feet	Unknown
Lake		<u> </u>	$\Box$	$+$ $\Box$				1	
River	<del>l                                    </del>	<del>                                      </del>	<del>ऻज़ॕ</del>	<del>                                      </del>	<del></del>	一一	<del>│</del> ├───		<u> </u>
Stream	<del>                                     </del>	一百	┟∺╴	十片一	<del>                                     </del>			+	<del></del>
Dry Wash	H	Ħ	┝▛┈	<del>                                      </del>	一一		<del>                                      </del>		
Mudflat	<del>                                      </del>	<del>                                      </del>	<del>                                      </del>	<del>                                      </del>	ᅥᆑᅳ		╅		
Sandflat	<del>                                     </del>	<del>   </del>	╁╄═	╅	一一一	17	<del>                                      </del>		<del>     </del>
Wetlands		<del>   </del>	<del>      -   -   -   -   -   -   -   -   -</del>		<u> </u>	$\dashv \vdash \vdash$	<del>                                      </del>		<del>-    </del>
Slough	H	<del>├                                     </del>	<del>   = </del>	<del>                                      </del>	$\dashv \exists$	ᅥᅥ	<del>┤</del> ├ · · · · -		<del></del>
Prairie pothole	┼┼┼	<del>   - </del>	╁┼	<del>                                     </del>		<u> </u>	<del>-  -  -  -  -  -  -  -  -  -  -  -  -  -</del>		·   - <del>  -  </del>
Wet meadow	┞╬┼	<del>   </del>	<del></del>	┤┾		$\dashv \exists$	<del></del>	·	<u> </u>
Playa lake	ᅡ片	<del>                                     </del>	┼≓┈	·		<del>-       -  </del>	$\dashv \vdash \vdash$	<del></del>	<del>-   = </del>
Vernal pool	┞╬┼	<del>   - </del>	- <u>  </u>	┼┾┤╌	<del>-                                    </del>	<del>-     -  </del>	<del></del>		
Natural pond	H	H	┼∺~~			<del>-  -  -  -  -  -  -  -  -  -  -  -  -  -</del>	<del>-    </del>	<del></del>	$\dashv \vdash \vdash$
-	<del>                                     </del>	<del>                                     </del>	<del> -   </del>	┼┾┽┈	<del>-    -  </del> -		$\dashv \vdash \vdash$	<del></del>	<del>-   -   -   -   -   -   -   -   -   -  </del>
Other water (identify type)									
<sup>1</sup> Check appropriate boxes that bes jurisdictional aquatic resource are		type of iso	lated, no	n-navigabl	c, intra-state	water present	and best estim	ate for size	of non-
Migratory Bird Rule Factors:					помп		Jse Best Profe		
				Yes	No	Predicted to Occur	Not Expecte Occur		ot Able To Make Determination
ls or would be used as habitat for birds protected by Migratory Bird Treaties?									
Is or would be used as habitat by coross state lines?	ther migr	atory bird:	sthat	×					
Is or would be used as habitat for cudangered species?									
Is used to irrigate crops sold in interstate commerce?									
<sup>1</sup> Check appropriate boxes that bes		-	for applic	ability of t	he Migrator	y Bird Rule to 1	apply to onsite	, non-jurisc	lictional, isolated,
non-navigable, intra-state aquatic	resource a	rea.							,—,
TYPE OF DETERMINATION	N:				Pi	reliminary [	Or Appr	oved 🛚	
OPITIONAL ADDITIONAL	INFORM	ATION S	SUPPOR	RTING N	JD (e.g., pa	ragraph 1 s	ite condition	s; paragra	phs 2-3 –

rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

	U.S. Army Corps	of Engineers, Chicago	District		
APPLICANT: Bonesteel, F. Will County, IL in the Fractio FILE NUMBER: 200500128	n Run watershed to the Des F	CT LOCATION/WA' Plaines River EW COMPLETED:		ınt Ridge in	Homer TWP,
∑ There are non-ju     ☐ There are waters		oject site. project site.			is an appealable
Basis of Jurisdictional Deter	mination:				
☐ The presence of wat interstate or foreign commof the U.S.) (33 CFR 328 ☐ The presence of inte ☐ The presence of a tr ☐ The presence of wet except for those wet ☐ The presence of an intersence of an intersenc	erstate waters (including inter- ibutary to an interstate water- lands adjacent <sup>2</sup> (bordering, lands adjacent to other wetlatisolated water (e.g., intrastate sloughs, prairie potholes, we	or were used in the pathich are subject to the state wetlands <sup>1</sup> ). (33 Cor other water of the Ucontiguous, or neighbornds. (33 CFR 328.3 (a lakes, rivers, streams	ast, or may be susce ebb and flow of the CFR 328.3 (a)(2)) JS. (33 CFR 328.3 oring) to interstate (a)(7)) (including intermit	(a)(5)) or other wate	navigable waters
<ul> <li>☑ U. S. Geologics</li> <li>☑ USDA Natural</li> <li>☑ U. S. Geologics</li> <li>☑ U. S. Geologics</li> <li>☑ U. S. Geologics</li> <li>☑ Aerials (Name</li> <li>☑ Advanced Iden</li> <li>☑ Site Visit Cond</li> </ul>	Wildlife Service National Weal Survey Hydrologic Atlas: J Resources Conservation Serval Survey 7.5-Minute Topogral Survey 7.5-Minute Historical Survey 15-Minute Historical Survey 15-Minute Historical Date): tification Wetland Maps; Jucted on: 10 MAY 2005 ion; RTA report on isolated v	OLIET, 89. vice Soil Survey for W aphic Maps: JOLIET, c Quadrangles: Quadrangles:	'ill County. 1993.  		
Rationale for Basis (applies in the Fraction Run watershed		e): The three isolated v	vetlands on the site	are non-juri	isdictional waters
clear, natural l	er Mark indicated by: ine impressed on the bank f litter and debris character of soil	destruction of t shelving other:	errestrial vegetation	n	
Basis for Declining Jurisdict	ion:				
Area under cons	e presence of waters listed in sideration is likely to have be sideration is <u>not</u> likely have b	en jurisdictional under	pre-SWANCC Mi	gratory Bird	d Rule criteria
Headquarters decline	ed to approve jurisdiction on t	the basis of 328.3(a)(3	) [attach copy of H	Q rationale]	
	with your wetland delineation confirm your wetland bound	lary			
Recommended by:	0	5	Date:	MAY	2005
Approved by:		05-		100>	20c5
Wetlands are identified and delin occurrence of hydrophytic vegeta from methods described in the Co	eated using the methods and crit tion, hydric soils and wetland hy	eria established in the Co drology). Processes for d	rps Wetland Delineat	tion Manual (	87 Manual) (i.e.,

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500128											
REGULATORY PROJECT MANAGER: Ron Abrant Date: 13 MAY 2005											
PROJECT REVIEW/DETER		n the office project sit	,	(Y/N) Date: (Y/N) Date: 10 MAY 2005							
PROJECT LOCATION INFORMATION: State: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed:  SITE CONDITIONS: Illinois Will 41-35-38 / 88-00-1 55 Fraction Run to Des Plaines River											
Type of aquatic resource	0-1 ac	1-3 яс	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear feet	Unknown		
I.ake	I	$\vdash \sqcap$	<del>                                     </del>	<del></del>	$\neg \vdash \neg$				† <u> </u>		
Kiver	H	<del>  H</del>	<del>                                      </del>	-1-H			1 🗂		† <del>======</del>		
Stream	H	<del>                                     </del>	<del>                                     </del>	╅	<del>                                    </del>	<del>         </del>	ᅥᆖ		<del>  Fi</del>		
Dry Wash	H	╽┝	Ħ	<del>-                                      </del>			ᅥ片		╅╫		
Mudflat	╁	<del>                                      </del>	<del>⊦≓</del>	<del>                                      </del>	╅		<del>                                      </del>	1	<del>                                     </del>		
Sandflat	┼∺┈	<del>      -   -   -   -   -   -   -   -   -</del>	+#	╅	ᅥ片	—— <del>                                     </del>	∺	+	15		
Wetlands	╁╫┈	<del> </del>	╁┼		<del>     </del>	<del>-       -     -     -                  </del>	一片	1	1		
Slough			╁┼	12	—⊦-∺	·	ᅥ岩		<del>                                     </del>		
Prairie pothole	╁╫╴	+=	<del>                                     </del>	╅	ᅡ片		$\dashv \exists $		+=		
Wet meadow	┼┼	<del>-</del>	╁∺┼	ᆂ	ᅥ片	<del>-                                     </del>	<del>-    </del> -	+	十片		
Playa lake	╁┼	┼┼┼	╁┼	十	ᄴ岩	-		+	┼∺┈┈		
Vernal pool	l ∺	├┼	╁┼	ᅥH		1:4		+	$+$ $\overline{+}$		
	┞╬		╁╬╌		ᅥ片	Land		_	<b>⊹</b> ∺		
Natural pond	H	╁┼	<del>      -</del>	<u>├-</u>	<del>- = -</del>	<del>-    - </del>	<del>-    - </del>	<del>                                      </del>	<u> </u>		
Other water (identify type)		LJ				🗀	_		🗀		
Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.											
Migratory Bird Rule Factors <sup>1</sup> : If Known If Unknown											
			Yes	No	Predicted	Use Best Profes Not Expecte		ient Able To Make			
				1 68	No	to Oceur	Occur		termination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?						Ø					
Is or would be used as habitat by other migratory birds that cross state lines?						Ø					
Is or would be used as habitat for endangered species?							×				
Is used to irrigate crops sold in interstate commerce?											
Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.											
TYPE OF DETERMINATION: Preliminary □ Or Approved ☑											
OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce											

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):